

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

STEWART N. ABRAMSON

Plaintiff,

v.

**ALLIANCE SECURITY INC., f/k/a
Versatile Marketing Solutions, Inc., d/b/a
Alliance Home Protection, d/b/a VMS
Alarms**

Defendant.

Case No.

NOTICE OF REMOVAL

Filed on Behalf of:

Alliance Security, Inc.,
Defendant

Counsel of Record for this Party:

SPILMAN THOMAS & BATTLE, PLLC

Kevin M. Eddy
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IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

STEWART N. ABRAMSON,

Plaintiff,

v.

**ALLIANCE SECURITY INC., f/k/a
Versatile Marketing Solutions, Inc., d/b/a
Alliance Home Protection, d/b/a VMS
Alarms**

Defendant.

Case No.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Alliance Security, Inc., (“Alliance”), by its undersigned counsel, hereby gives notice of the removal of the above-captioned action from the Court of Common Pleas of Allegheny County, Pennsylvania to this United States District Court for the Western District of Pennsylvania. As grounds for removal, Alliance states as follows:

1. On or about January 28, 2015, Plaintiff Stewart N. Abramson filed a Complaint against Alliance in the Court of Common Pleas of Allegheny County, Pennsylvania, styled *Stewart N. Abramson v. Alliance Security Inc.*, No. AR-15-000470 (the “Civil Action”).
2. On February 3, 2015, Alliance received a copy of the Complaint via certified mail.
3. This Court has original jurisdiction over the Civil Action pursuant to 28 U.S.C. § 1331 because the Complaint alleges violations of a federal statute, the Telephone Consumer

Protection Act of 1991 (“TCPA”), 47 U.S.C. § 227, implementing regulations adopted by the Federal Communication Commission. *See* Complaint at ¶ 1.

4. The Court is the District Court and Division embracing Allegheny County, Pennsylvania, where the Civil Action is currently pending.

5. Removal of this Civil Action is proper under 28 U.S.C. §§ 1441, *et seq.* If the action had originally been brought in this Court, this Court would have had original, federal question jurisdiction over Plaintiff’s TCPA claims pursuant to 28 U.S.C. § 1331 and 47 U.S.C. § 227.

6. Removal is timely pursuant to 28 U.S.C. § 1446(b) because this Notice of Removal is filed within thirty (30) days of Alliance being served with a copy of the Complaint.

7. Pursuant to 28 U.S.C. § 1446(a), copies of pleadings and other relevant documents served upon Alliance are attached hereto as Exhibit 1, along with the docket sheet from the Court of Common Pleas of Allegheny County, Pennsylvania.

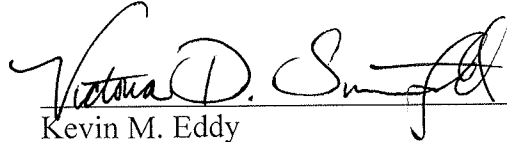
8. A true and correct copy of this Notice of Removal with accompanying exhibits and Notice of Removal of this Civil Action to Federal Court are being served upon Plaintiff and filed with the Court of Common Pleas of Allegheny County, Pennsylvania in accordance with the provisions of 28 U.S.C. § 1446(d). *See* Notice of Removal of this Civil Action to Federal Court, attached hereto as Exhibit 2.

WHEREFORE, based upon this Court's federal question jurisdiction, Defendant Alliance Security, Inc., files this Notice of Removal so that the entire state court action captioned *Stewart N. Abramson v. Alliance Security Inc.*, Civil Action No. AR-15-000470 pending in the Court of Common Pleas of Allegheny County, Pennsylvania, shall be removed to this Court for all further proceedings.

Respectfully submitted,

ALLIANCE SECURITY, INC.

By: SPILMAN THOMAS & BATTLE, PLLC

A handwritten signature in black ink, appearing to read "Victoria D. Summerfield", is written over a horizontal line.

Kevin M. Eddy

PA I.D. No. 92904

Victoria D. Summerfield

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Counsel for Alliance Security, Inc.

Dated: February 10, 2015

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

STEWART N. ABRAMSON,

Plaintiff,

v.

**ALLIANCE SECURITY INC., f/k/a
Versatile Marketing Solutions, Inc., d/b/a
Alliance Home Protection, d/b/a VMS
Alarms**

Defendant.

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2015, I electronically filed the foregoing **NOTICE OF REMOVAL** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following and that I served the same upon Plaintiff and Prothonotary by depositing the same in the United States mail, postage prepaid, addressed as follows:

Stewart N. Abramson
522 Glen Arden Drive
Pittsburgh, PA 15208
Pro se Plaintiff

Department of Court Records
City-County Building
414 Grant St.
Pittsburgh, PA 15219
Prothonotary


Victoria D. Summerfield